

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6-18-13
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(A) SEC, S.

MWI VETERINARY SUPPLY CO.,

Plaintiff,

v.

MERRITT VETERINARY SUPPLIES,  
INC., KATHLEEN ROTANZ, and  
SARA ST. MARIE,

Defendants.

Case No. 1:13-cv-03904 (PKC)  
ECF Case

**ORDER TO SHOW CAUSE FOR  
PRELIMINARY INJUNCTION AND  
GRANTING EXPEDITED  
DISCOVERY**

AND NOW, upon the Verified Complaint filed by MWI Veterinary Supply Co. ("MWI")

in this action, it is **HEREBY ORDERED** as follows:

1. The above-named defendants shall show cause before this Court at Room 12C,

United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on

July 22, 2013, at 2:30 o'clock in the afternoon, following the period of expedited discovery ordered below, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure, to remain in effect until final resolution of this case on the merits, enjoining Defendants Kathleen Rotanz ("Rotanz") and Sara St. Marie ("St. Marie"), and any persons or entities in active concert or participation with either of them (including without limitation Defendant Merritt Veterinary Supplies, Inc., or any of its directors, officers, employees, agents, attorneys, or representatives), from directly or indirectly:

(i) attempting to sell any veterinary products or services to any client or customer who was a client or customer of Prescription Containers Inc., sometimes doing business as PCI Medical Supply ("PCI"), during the course of Rotanz's or St. Marie's employment with PCI;

(ii) performing any work for or contracting with any client or customer who was a client or customer of PCI during the course of Rotanz's or St. Marie's employment with PCI;

(iii) soliciting, enticing or persuading any employee of PCI, who is now employed by Plaintiff, to leave the services of Plaintiff; and

(iv) disclosing to anyone, using, or retaining any trade secrets or confidential information relating to PCI, Plaintiff, or the customers of PCI or Plaintiff.

✓ *Security in the amount of \$ will be posted by* PKC

2. Pursuant to Federal Rules of Civil Procedure 26, 30, 31, 33, and 34, discovery shall be expedited, without the requirement of a meeting pursuant to Federal Rule of Civil Procedure 26(f), as follows:

(i) Plaintiff and Defendants may immediately serve document requests and interrogatories (including interrogatories beyond those described in Local Civil Rule 33.3), with all substantive responses to such document requests and interrogatories due within twenty-one (21) days of service unless otherwise agreed by the parties; and

(ii) Plaintiff and Defendants (collectively) are each permitted to take up to five (5) depositions, commencing thirty (30) days after entry of this Order.

✓ DATED this 18<sup>th</sup> day of June, 2013.

BY THE COURT:

  
P. Kevin Castel, U.S. District Judge M

*Serve this order by 5 pm June 20. Answering papers due by July 12, 2013, 18, reply by July 22, 2013. Parties should meet and confer on the subject of without 1 hour.*